

**IN THE DISTRICT COURT OF THE UNITED STATES FOR THE MIDDLE DISTRICT OF ALABAMA, EASTERN DIVISION, AT MONTGOMERY, ALABAMA**

GENE COGGINS  
Plaintiff

V:

Civil Action No. 3:07 cv 405 - MHT

STATE OF ALABAMA,  
ALABAMA DEPT. OF REVENUE,  
and CHAMBERS COUNTY  
Defendants

**MOTION TO APPEAL TO THE UNITED STATES COURT OF APPEALS IN ATLANTA, GEORGIA**

COMES NOW, THE PLAINTIFF, GENE COGGINS, WITH THIS ANSWER TO OPINION, AND JUDGMENT DATED MAY, 23, 2007, AND MOTION FOR PERMISSION TO APPEAL TO THE COURT OF APPEALS IN ATLANTA, GEORGIA.

1. AGAIN MY COMPLAINT IS VERY PLAIN ON THE CAUSE OF ACTION AND JUDGMENT DEMANDED. IN MY RESPONSE TO SOME OF THE ORDERS, OPINIONS, AND ORDER TO SHOW CAUSE, I DON'T BOTHER TO BRING UP THE REQUIRED JUDGMENT EVERY TIME I RESPONSE TO THIS, I ASSUME A JUDGE THAT LOOKS AT THIS CASE WOULD HAVE THE COMPLAINT IN FRONT OF HIM AND UNDERSTAND ALL OF THE ISSUES IT REPRESENTS.


IN THE STATEMENT ON OPINION PAGE ONE "COGGINS SUBMITTED A RESPONSE TO THE SHOW CAUSE ORDER, BUT HIS RESPONSE DOES NOT REFLECT THAT HE IS ASKING FOR ANYTHING OTHER THAN THAT THIS COURT REVIEW A STATE COURT JUDGMENT IN VIOLATION OF THE ROCKER-FELDMAN DOCTRINE, NOR DOES HE SAY ANYTHING TO REFUTE THAT DEFENDANT, STATE OF ALABAMA, ALABAMA DEPARTMENT OF REVENUE ARE REVENUE, FROM SUIT UNDER THE ELEVENTH AMENDMENT".

IN MY ANSWER TO ORDER DATED MAY,17, 2007, PAGE 03, I GAVE THE ELEVENTH AMENDMENT AS LISTED IN THE CONSTITUTION OF THE UNITED STATES, THIS IS SO PLAIN THAT MY SEVEN YEAR OLD GRAND DAUGHTER CAN UNDER STAND. FOR THIS PLAINLY STATES THAT A CITIZEN FROM ANOTHER STATE CANNOT SUE THIS STATE, BUT THIS DOES NOT FREE A CITIZEN FROM THIS STATE IN FILING A SUIT AGAINST THIS STATE OR ANY OFFICIAL OR DEPARTMENT OF THIS STATE.. IF THERE ARE ANY STATE LAWS THAT ARE DIFFERENT FROM THIS, THEN THAT LAW IS ILLEGAL, FOR FEDERAL LAWS HAVE PRESTIGE OVER ANY STATE LAW, AND FEDERAL COURTS CANNOT BASE A CASE ON ILLEGAL STATE LAWS.. THE FINAL CONCLUSION ABOUT THIS STATEMENT MADE, A TRIAL WHICH INSURES SUBSTANTIAL JUSTICE CONFORMITY TO LAW, A TRIAL WITHOUT **PREJUDICE**, BEFORE AN IMPARTIAL JURY, AND JUDGE WHOSE **NEUTRALITY IS INDIFFERENT TO EVERY FACTOR IN THE CASE, AFTER FULLY CONSIDERATION OF EVIDENCE AND FACTS AS A WHOLE. FOLLOWING THE BASIC**

*CONSTITUTION GUARANTEED RIGHTS AS FOUND IN THEE DUE PROCESS CLAUSE OF  
FOURTEENTH AMENDMENT OF THE UNITED STATES CONSTITUTION.. C. C. A. N. Y.  
61, F. 2D 966, 968. Stacey V: State 79 Okl. Cr. 417, 155, P. 2d, 736, 739..*

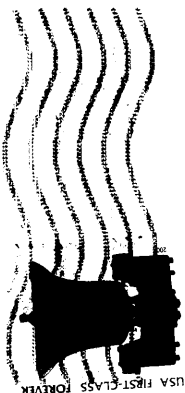
2. THIS COURT HAS NEVER FOLLOWED ANY OF THE ABOVE REQUIREMENTS,  
HAS INTENTIONALLY BROKEN ALL OF MY GUARANTEED  
CONSTITUTIONAL RIGHTS, MY COMPLAINT AND SUMMONS WAS NEVER  
SERVED, NO ANSWER WAS EVER RECEIVED FROM THE DEFENDANTS,  
ALL RESPONSES, PROVED TO BE PREJUDICE AGAINST AN INDIVIDUALS  
RIGHTS, TO BE HEARD IN A FAIR COURT OF LAW. A COPY OF ALL OF THIS  
SO CALLED JUSTICE HAS BEEN SENT TO THE UNITED STATES ATTORNEY  
GENERALS OFFICE, REQUESTING INVESTIGATION AND ALL INVOLVED BE  
PROSECUTED ACCORDINGLY..

THIS MOTION FOR PERMISSION TO APPEAL IS FILED WITHIN THE PROPER  
TIME LIMIT AND COURT IN COMPLIANCE TO FED R. APP. P. 4 (a) (1), 3 ©)...

  
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MONTGOMERY AL 361  
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